

## **Frequently Asked Questions**

### **1. Why is the USF System requiring background checks?**

The USF System is committed to protecting the safety, security and health of its students, employees and others, as well as safeguarding the interests of the USF System. As part of its efforts to create a safe work and study environment, the USF System requires that a criminal history background check be conducted on prospective employees as a condition of employment.

### **2. When will the background check policy go into effect?**

The background check policy will go into effect for offers made after January 1, 2013.

### **3. Who is required to submit to a background check?**

All prospective USF System employees in the classification of Faculty, Administration, Staff and Temporary (with assignments exceeding 60 days). Volunteers and Students are generally exempt from the background check requirement, unless their position has been designated as a “Sensitive” or “Special Trust” position.

### **4. Under this policy, will current employees be subject to a background check?**

Current employees are required to report any conviction which occurs during their employment with USF to Human Resources. A criminal background check may be initiated on current employees if required by law or if there is a reasonable belief that the employee has been convicted of a crime without reporting it to Human Resources.

If a current employee applies for a position designated as a “Sensitive” or “Special Trust” position, a Level 2 criminal background check will be conducted.

If a current employee’s position is subsequently designated as sensitive or special trust, a Level 2 criminal background check will be conducted.

### **5. What type of background checks will the USF System be conducting?**

The USF System will require a Level 1 background check for all prospective employees. This background check, which is conducted using date of birth and social security number, includes a statewide and national criminal history background check and a check of the National Sex Offenders Public Website. It may also include a local criminal records check through local law enforcement agencies. Level 1 checks are conducted by an outside vendor.

Where required by law or internal procedure, a Level 2 background check will be completed. In addition to the requirements of a Level 1 background check, a Level 2 background check includes a state or national fingerprint-based check. Level 2 checks are performed through Human Resources and utilize the candidate's fingerprints. Fingerprints are processed through the Florida Department of Law Enforcement (FDLE). Current positions requiring Level 2 checks will continue with this process.

**6. Can you provide examples of when a Level 2 background check could be required by law or internal procedure?**

For example, custodians and cashiers are required to have a Level 2 screen. These are positions with access to sensitive information, cash, resident rooms or contact with vulnerable populations (people under 18 years of age, students, people with disabilities, etc.). In addition, the Department of Transportation requires a Level 2 screen for those employees holding commercial drivers' licenses (CDL), which includes the Bull Runner drivers.

**7. What is considered in designating a position as "Sensitive" or "Special Trust"?**

Employees who are designated by law as holding positions of responsibility and trust in accordance to Section 435.04, F.S. and the USF System's policy on criminal history background checks.

Duties that are considered sensitive or of special trust include:

- Direct access to, or control over, cash, checks, credit/debit cards, account information, including cash handling or credit card acceptance positions, or have a responsibility for creating, collecting or accounting for material levels of accounts receivable.
- Update, prepare, generate or enter a transaction that will result in one of the following: refund, wire transfer, money transfers, fiscal and p-card transactions or vendor changes.

- Control over operational processes either through functional roles or system security access (e.g., ability to process a payment, print or distribute checks, or process payroll corrections).
- Significant inventory control responsibilities, including the receipt and release of inventory.
- Privileged access to sensitive data or critical data processing systems.
- Unsupervised access to USF System, employee or student property, including housekeeping positions with access to offices and residence halls.
- Access to secured buildings/offices, including those in possession of building master or sub-master keys and/or cards for building access.
- Provide direct services, programs and activities to students in residence halls, medical and counseling centers, as well as those providing direct services in dining centers.
- Access to sensitive, confidential and personally identifiable information on students, faculty, staff, clients, research subjects or alumni.
- Working with minors or other vulnerable populations such as the elderly or those with disabilities.
- As required by granting agencies for grants and contracts.
- Designated by President, Vice Presidents or designee to be positions of special trust or responsibility.
- As required by federal or state law.

**8. How do I know if a position that I'm applying for is a position of "Sensitive" or "Special Trust"?**

The job description and position advertisement will provide notice to prospective employees that the position they are applying to is one of "Sensitive" or "Special Trust" and requires a Level 2 background check. Such notice shall also be provided in any offer of employment that is extended prior to a criminal history background check being conducted.

**9. How is the security of personal information maintained, such as date of birth and social security number?**

These checks will be conducted by a third-party provider, who offers a web-based application that ensures confidentiality of personal information. To further ensure confidentiality of personal information, the results indicating a conviction will be reviewed and adjudicated by Central HR or the Provost's Office. The leadership of

the department will receive a recommendation of either “Meets University Standards” or “Does Not Meet University Standards.” The hiring department will make the final hiring decision.

**10. Where will the background check results be stored?**

All completed criminal history background checks shall be maintained in Human Resources and shall be kept separately from employee personnel files. Background checks are subject to the Florida Public Records laws.

**11. At what point in the hiring process is the background check completed?**

Once the department has extended an offer to the employee, the background check process should be initiated. Please note: employees cannot begin employment without HR verifying successful completion of the background check.

**12. Will the candidate be automatically disqualified because of a conviction?**

Individual results will be reviewed on a case by case basis. The USF System will take into account:

- the nature and the gravity of the offense(s);
- the time that has passed since the offense had occurred;
- the rehabilitation record, actions and activities of the individual since the conviction, including subsequent work history; and
- the nature of the job sought.

**13. How long will it take to get the background check results?**

Turnaround time will depend on the candidate’s response time and the results of the background check. Typical turnaround time for a Level 1 check is 48-72 hours.

**14. How will the hiring department be notified of the results?**

The person requesting the screen, generally the unit HR contact, will receive regular e-mail notifications from the vendor regarding the status of the candidate’s search. If the results are all clear, the requester will receive notification that the candidate “Meets University Standards.” If the results are not clear, the notification will be forwarded to Central HR or the Provost’s office for review and adjudication. Once

the results are adjudicated, the person requesting the screen will receive an e-mail notice indicating if the candidate may or may not be hired.

**15. If an employee is rehired within the 120 day period and they have not had a previous screen, will they need a background screen before they can be rehired?**

Yes, if a person that is being rehired within 120 days has not previously had a background screen for employment, they will need to have the screen completed prior to reemployment with USF. After this initial screen is completed, assuming they are rehired within 120 days, they will not have to be rescreened.

**16. Is there a provision in the policy to hire an employee, such as an adjunct professor, on an emergency basis?**

Yes, the policy allows for emergency appointments of 7 days or less with the approval of the appropriate Vice President or the AVP of HR. If the appointment is expected to extend longer than 7 days, a contingent letter of offer must be issued to the employee. It will then be necessary to conduct the screen on the candidate's first day so that the results will be available for review prior to the end of the 7 day period.

**17. What if the candidate does not believe the results of background check are correct?**

If results are returned about a person that may prevent them from being appointed to a position, they will receive notification from the vendor with a copy of the results. The candidate will have 5 days to dispute the results. The vendor may take up to 30 days to verify the information. If the dispute by the candidate is successful, the candidate may be considered for hire.

**18. When should the department let a prospective employee know background checks are required?**

Every posting on the USF Careers website mentions the background check requirement. In addition, departments can also inform prospective employees of the background check policy during the interview, and again at the time of offer.

**19. Will the offer letter templates be updated to accommodate the background screening process?**

Yes, all of the templates will be updated and available on the HR website.

**20. What is the cost of the Level 1 and Level 2 background check?**

The Level 1 background check for the Tampa Campus will be centrally funded for fiscal year 2013. Regional Campuses should contact their HR department. The cost of a Level 1 background check is \$47.45.

The current process and cost for a Level 2 background check will not change.

**21. What if a temporary assignment exceeds 60 days and the person has not received a background check?**

A temporary employee may not be employed after 60 calendar days without a background screen. Prior to the 60<sup>th</sup> day of employment, the department will be notified that the employee will be terminated on the 60<sup>th</sup> day and if the assignment is expected to extend past 60 days, then a background screen needs to be initiated.